

B) Remarks:

Applicant's original independent claim 13 claimed in combination the implant plate assembly, together with the insertion tool. This claim additionally also required the inclusion of the lock assembly for selectively locking the screw receiving elements to prevent further relative sliding therebetween. Applicant is entitled to a broader scope of protection in that the required inclusion of the lock assembly and an end to end connection between the tool and the plate in the initial combination are not essential to the most basic form of the invention. Accordingly, new claim 26, which is submitted in substitution for original claim 13, does not include the lock assembly, and in addition, new claim 26 does not require that the insertion tool be connected in an end to end fashion with the plate assembly. New dependent claim 27 requires that the insertion tool be releaseably connected to the proximal end of the plate assembly whereby the tool and plate assembly extend together end to end and dependent claim 28 adds the additional feature of the locking assembly to lock the screw receiving elements to prevent further relative sliding therebetween. The remaining dependent claims are basically the same as original claims 14, 15, 17, 19 and 20. Original claims 16 and 18 have not been repeated.

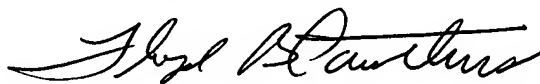
With regard to original independent method claim 21, the method claim required that the second bone fixation screw be partially secured and that thereafter the distal end of the plate be extended and that thereafter the proximal second screw be fully secured.

As one of ordinary skill in the art can appreciate upon studying the present disclosure, the sequence of screw engagement is not important and also the extension of the plate assembly either prior to or after insertion of the proximal second screw is not important. In other words, these particular sequences of fastening are not material to the basics of the invention.

Accordingly, Applicant is entitled to a broader scope of protection and claim 21 has been amended by substitution therewith of new method claim 34 which does not require a particular sequence of screw securement.

Respectfully submitted,

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